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Plan
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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO/OAKLAND DIVISION**

12 SANDRA STEIN,
13
14 Plaintiff,

15 vs.

16 KAISER PERMANENTE FLEXIBLE
BENEFITS PLAN and METROPOLITAN
LIFE INSURANCE COMPANY,
17
18 Defendants.

) CASE NO.: C05-02566 CW (JCS)

) Hon. Joseph C. Spero

) STIPULATION TO CONTINUE HEARING
) DATE FOR PLAINTIFF'S MOTION TO
) ALLOW DISCOVERY

) Current Date: February 3, 2006

) **New Proposed Date: February 17, 2006**
) Time: 9:30 a.m.
) Courtroom: A

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Complaint Filed: June 23, 2005

23 Plaintiff SANDRA STEIN ("Plaintiff"), and Defendants METROPOLITAN LIFE
24 INSURANCE COMPANY ("MetLife") and KAISER PERMANENTE FLEXIBLE BENEFITS
25 PLAN (the "Plan") (collectively "Parties"), by and through their respective counsel of record have
26 now met and conferred on two occasions, in response to the Court's December 16, 2006 Order. On
27 both occasions, the Parties have successfully resolved some of the discovery issues and have
28

1 discussed procedures for resolving other issues. Pursuant to those discussions, the Parties hereby
2 stipulate to the following revised schedule:

3 **January 17, 2006:** MetLife and the Plan will provide formal responses to all discovery
4 requests that Plaintiff sent to MetLife and the Plan.

5 **January 20, 2006:** The Parties will meet and confer with respect to the January 17
6 responses.

7 **January 24, 2006:** The Parties will file a joint letter to the Court, describing what issues
8 remain in contention and describing the Parties' respective positions.

9 **January 27, 2006:** MetLife and the Plan will file and serve their opposition to Plaintiff's
10 Motion.

11 **February 3, 2006:** Plaintiff will file and serve her reply.

12 **February 17, 2006:** The Motion will be heard at 9:30 a.m.

As the foregoing schedule will give the Parties the opportunity to (a) compromise and/or resolve further discovery issues and (b) limit the range of issues that will be heard by the Court, good cause exists.

Dated: January 9, 2006

BARGER & WOLEN LLP

By: /s/ Michael A. S. Newman

Michael A. S. Newman
Attorneys for Defendant
METROPOLITAN LIFE INSURANCE
COMPANY and KAISER
PERMANENTE FLEXIBLE BENEFITS
PLAN

Dated: January 9, 2006

LAW OFFICES OF STEVEN M. CHABRE

By: /s/ Steven M. Chabre

STEVEN M. CHABRE
Attorneys for Plaintiff
SANDRA STEIN

PROPOSED ORDER

Pursuant to the SUPPLEMENTAL STIPULATION TO CONTINUE HEARING DATE FOR PLAINTIFF'S MOTION TO ALLOW DISCOVERY and good cause appearing therefor, IT IS HEREBY ORDERED THAT:

January 17, 2006: MetLife and the Plan will provide formal responses to all discovery requests that Plaintiff sent to MetLife and the Plan.

January 20, 2006: The Parties will meet and confer with respect to the January 17 responses.

January 24, 2006: The Parties will file a joint letter to the Court, describing what issues remain in contention and describing the Parties' respective positions.

1 **January 27, 2006:** MetLife and the Plan will file and serve their opposition to Plaintiff's
2 Motion.

3 **February 3, 2006:** Plaintiff will file and serve her reply.

4 **February 17, 2006, at 9:30 a.m.:** The Court will hear Plaintiff's Motion To Allow
5 Discovery.

6
7 Dated: Jan. 10, 2006

By:


JOSEPH C. SPERO

United States Magistrate Judge